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Remarks

Claims 1-45 were pending in the application. Claims 1, 9, 12, 19, 21, 26, 30, 32, 33, 35, 41, 44, and 45 have been canceled. Therefore, claims 2-8, 10-11, 13-18, 20, 22-25, 27-29, 31, 34, 36-40, 42, and 43 remain pending in the application.

Claims 2-5, 7, 10, 12-15, 17, 20, 25, 28-30, 33, 36, 37, 39, and 42 were indicated to contain allowable subject matter and would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

The specification was objected to because of various informalities.

Claims 2-8, 10, 12-18, 20-25, 28-34, 36-40, 42, 43, and 45 were objected to because of various informalities.

Claims 1, 6, 8, 9, 11, 16, 18, 19, 21-24, 26, 27, 31, 32, 34, 35, 38, 40, 41, and 43-45 were rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,621,789 issued to Missett on September 16, 2003.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein as being for the purpose of distinguishing such claim from known prior art are not being made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are being made only with an intent to change the literal scope of such claim in the most minimal way, i.e., to just avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, since a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same

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as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of those claims has been changed. This is true whether a dependent claim has been rewritten to expressly include the limitations of those claims on which it formerly depended or whether an independent claim has been rewriting to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

#### **Objection to the Specification**

The specification was objected to because of various informalities. Applicants have amended the specification in accordance with the suggestions of the Office Action to overcome this ground of objection.

#### **Objection to Claims**

Claims 2-8, 10, 12-18, 20-25, 28-34, 36-40, 42, 43, and 45 are objected to because of various informalities.

The Office Action states that in claims 2-8, 10, 12-18, 20-25, 28-34, 36-40, 42, and 43 the recited phrase "The invention" should be changed to a term that more closely matches the initial phrase of the base independent claim.

This objection is respectfully traversed.

With respect to those claims remaining in the application, applicants respectfully point out that in 37 C.F.R. 1.75 there is no requirement to point out applicants' invention in the manner suggested by the Office Action. Instead, since 37 C.F.R. 1.75 states that the claim points out the subject matter that applicant regards as his invention, it is necessary that a claim define an invention, and so it is often said, "the claim is the invention". Thus, the language objected to is clear and legally correct, since only dependent claims employ the language and each refers back to another claim which defines an invention. Moreover, many patents have issued with the exact language objected to by the Office Action, indicating that the United States Patent and Trademark

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Office regards such language as an acceptable form. See for example, the relatively recently issued United States Patents Nos. 5,764,748, 5,784,448, 5,767,751, and 5,767,825.

Claims 8, 18, 22, 23-25, 43, and 45 were objected to because of various informalities. With respect to those claims remaining in the application, applicants have amended these claims in accordance with the suggestions of the Office Action.

**Rejection Under 35 U.S.C. 102**

Claims 1, 6, 8, 9, 11, 16, 18, 19, 21-24, 26, 27, 31, 32, 34, 35, 38, 40, 41, and 43-45 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,621,789 issued to Missett on September 16, 2003. This ground of rejection is respectfully avoided for the following reason.

Claims 2-5, 7, 10, 12-15, 17, 20, 25, 28-30, 33, 36, 37, 39, and 42 were indicated to contain allowable subject matter and would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims. Applicants have either so rewritten each of such dependent claims, or incorporated within an independent claim all of the limitations from one of the allowable dependent claims. Thus, each of the independent claims presently pending in the application contains no more than what was indicated to be allowable subject matter. Additionally, all of the dependent claims remaining in the application depend from an independent claim that is a version of one of the claims that was indicated to contain allowable subject matter. Therefore, each such dependent claim is also allowable.

Thus, all of applicants' claims are allowable over Missett.

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

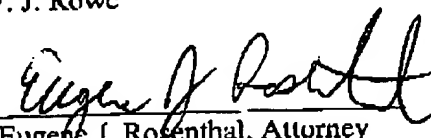
If, however, the Examiner still believes that there are unresolved issues, he is invited to call applicant's attorney so that arrangements may be made to discuss and resolve any such issues.

In the event that an extension of time is required for this amendment to be considered timely, and a petition therefor does not otherwise accompany this amendment, any necessary extension of time is hereby petitioned for, and the Commissioner is authorized to charge the appropriate cost of such petition to the **Lucent Technologies Deposit Account No. 12-2325**.

Respectfully,

R. S. Burroughs  
W. J. Rowe

By

  
Eugene J. Rosenthal, Attorney  
Reg. No. 36,658  
732-949-1857

Lucent Technologies Inc.

Date:

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